

rise in support of the Beutler amendment as it is largely clarifying, I believe, what is intended by the Ashford amendment anyway. I think that Senator Hohenstein raises an interesting point, and frankly it's merely an extension of the point that he and I were raising on the prior Ashford amendment, and that is that any...any interference from the legislative end may cast some doubt on whether the...the negotiations with the tribe are conducted in good faith. I think that a distinction can be made between the prior amendment, which would have required legislative ratification of a compact, and this amendment, which would simply state that a...state a category of games and which of those would be legal to be included within a compact. And that is that there's a much greater degree of certainty present in negotiations under this scenario, because we simply will have a policy stated in law that it's the stated policy of the Legislature that unless a type of Class III gaming is permitted by Nebraska law in general, then it is not permitted to be a topic of negotiation with an Indian tribe, and as opposed to the situation in the prior amendment where any negotiations whatsoever would then be subject to ratification by the State of Nebraska. And so the entire negotiating process really would simply be then submitted to the arbitration of the Legislature. I think this Ashford amendment provides a much greater degree of certainty within the framework of the negotiations themselves, and for that reason hopefully a distinction will be made between the two situations, once we, I would hope, adopt the Ashford amendment. Thank you.

SPEAKER BAACK: Thank you, Senator Will. Senator Schellpeper.

SENATOR SCHELLPEPER: Thank you, Mr. Speaker and members. I'm going to support the Beutler amendment at this time, along with the Ashford amendment. But I think we need to take a look before Select File. And I want the body to also understand that even though we are arguing about what we can and cannot do as a state, at this time, there is always that possibility there that the federal government is going to say we take precedence and you're going to do this anyway, we're going to allow Indian gaming in this state, no matter what you say. We could come in and say you can't do anything, and the federal government said, yes, you are. And that could happen. So we can try to come down today and say we're going to do this, and we're going to do that, but basically we may not be able to do a whole lot, I don't know. I hope that we can come in and approve this amendment and pass the bill today and try to get some things